

REMARKS

We trust that the Examiner will now find the application to be in condition for allowance and reconsideration is respectfully requested. Claim 14 has been amended in response to the Examiner's objections. A marked-up version of the amended claim is included in a section attached hereto. In the marked-up claim, the words between brackets are being removed, and those underlined are being added, which places the amended claim into the form given above. The attached section is captioned **VERSION WITH MARKINGS TO SHOW CHANGES MADE.** It is respectfully submitted that this amendment will require neither a new search nor substantial reconsideration.

In the Office Action, claim 14 was objected to as having a double inclusion. The claim has been amended to delete the phrase noted by the Office Action. As such, the objection for claim 14 is traversed.

In the Office Action, claims 14 and 16 were rejected under 35 U.S.C. 112, first paragraph, on the grounds that there is no disclosure of the narrow web sealed to the package wall only at a second seal area and wherein the second seal is spaced apart from the first seal area, as set forth in the last paragraph of claim 14. In response, claim 14 has been amended to recite that at least one flange is sealed to one of said package walls, said seal being at least a first seal area spaced apart from said interlocking members on a first side of said interlocking members; and wherein the other interlocking profile is sealed to the other package wall only at a second seal area spaced apart from said interlocking members and separated from said first seal area by said interlocking profiles along the length of said zipper strip said second seal area being on said first side of said interlocking members.

As clearly shown in Figures 1, 7 and 8, one flange (26) of one interlocking profile (12) is sealed to one packaging wall (114), said seal area (30) spaced apart from said interlocking members (16, 18) on a first side of said interlocking members. As the figures provide varying viewing directions of the zipper strip (10), the other interlocking profile (14) is sealed to the other package wall (116) only at a second seal area spaced apart from said interlocking members and separated from said first seal area by the profiles (12, 14) including the opposed interlocking members (16, 18) along the length of the zipper strip (10), the second seal area being on said first side of the interlocking members - the length of the zipper strip is shown in Figure 7 as between the two lateral edges (96). In the cross-sectional view of Figure 1, one side of interlocking profiles (12, 14) oppose each at a spacing defined by the presence of the interlocking profiles (12, 14) with the sealing areas (30) for each profile not overlapping each other but facing outward on the other side of the profiles. By facing outward, the profiles attach to opposing package walls and are spaced apart from each other with the result of the seal areas not overlapping each other.

As described above, Figures 1, 7 and 8 clearly disclose a narrow web (22) sealed to the package wall (116) only at a second seal area and wherein the second seal is spaced apart from the first seal area. As such, amended claim 14 which recites the package of claims 1, 7 and 8 does not contain new matter and the rejection under 35 U.S.C. 112, first paragraph for claims 14 and 16 is traversed.

In view of the above, it is respectfully submitted that the claims as herein are patentably distinguishable over the prior art and the application is now believed to be in condition for allowance.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

14. (Twice Amended) A reclosable package comprising:

 a first wall and a second wall opposite said first wall;

 a zipper strip for selectively opening and closing said package, said zipper strip comprising a male interlocking profile extending along an internal surface of said first wall and a female interlocking profile extending along an internal surface of said second wall;

 said male interlocking profile having a male interlocking member and a male web integral therewith;

 [said female interlocking profile having a female interlocking member and a male web integral therewith;]

 said female interlocking profile having a female interlocking member and a female web integral therewith, said male interlocking member being engageable within said female interlocking member to join said male and female interlocking profiles together;

 wherein one of said male and female webs is wider than the other of said male and female webs in at least one of two directions from said male and female interlocking members, the greater width of the wider of said male and female webs being at least one flange extending widthwise beyond the other of said male and female webs;

 wherein said at least one flange of one interlocking profile is sealed only to one of said package walls, said seal being at least a first seal area spaced apart from said interlocking members on a first side of said interlocking members; and

 wherein the other interlocking profile is sealed to the other package wall only at a second seal area spaced apart from said interlocking members and [spaced apart] separated from said

first seal area by said interlocking profiles along the [width] length of said zipper strip, said second seal area being on said first side of said interlocking members.